THE LEGISLATURE.

Reasons of Legislative Corruption.

A Hungry Crowd at the State Capital.

The Lobby Preparing Their Bones for the Members.

HOW CORRUPTION MAY BE PREVENTED.

The New York Charter and Its Prospects.

How Appointments in the City Government Will Be Made.

ALBANY, Feb. 3, 1873.

WHY OUR LEGISLATURES ARE CORRUPT. Why does the great State of New York, with her wast commercial interests and her hundreds of illions of wealth, send 160 Senators and Assemblymen to this city to do her work of legislation, to make laws for her people involving their persons and their property, and pay them three dollars a day for their services, when they have to pay at least double that sum for their board, lodging and shing, to say nothing of the inevitable "extras" of a State capital? Why are men who have no inomes at all, or very limited ones, and who cerainly cannot afford to pay out money for patriotic considerations, so eager to accept a public office thus insufficiently paid? The answer to the first who are parsimonious enough to begrudge fair pay for fair work; the answer to second is well known to every, man conversant with the lobby. The State cannot expect to be honestly legislated for so long as e continues the ill-judged policy of underpaying her legislators. Men would not consent to go to the State Legislature, as a general rule, unless they knew that they would be able to make money illeitimately, not only sufficient to cover their exfind a Senate and Assembly at Albany composed of accept bribes from the lobby as readily as Colfax, Patterson, Kelley, Wilson, Garfield, Dawes, Brooks bilier stock fed to them by the great Hoax Ames, must be either very unsophisticated or alarmingly rant. Corruption at Albany is as certain under existing circumstances as fever and ague in New Persey, and until we have some alteration of the titution by the which the character of our Legislature can be improved, we shall continue to hear before the end of every session that the existlug Legislature is at least the equal in jobbery of

Painful rumers of a famine are just new current in the locality of State street hill, and certainly e countenances of some of the henest country reform members begin to wear a hungry expres-sion. Fear has seized upon many of the less exrienced legislators-lear that the session will iss without a "bone," to gnaw, and that no means will be supplied to liquidate the rapidly augmentng board bills. Those more familiar with Albany egislation, who are old hands at the business, are thing is certain to turn up before the session closes; but even with this class there is a slightly supply stream has been unusually dry.

THE LOBBY RATS COMING OUT OF THEIR HOLES. rats discover the moment when this hunger comnces to be felt by the members. Already the ct seems to have become known to them, and we e to-day about the Capitol some of the well or the past ten years, and through whom the railroad rings and Tammany rings were accustomed a twinkle in their eyes, which plainly indicate that

nosing around, with a chuckle in their throats and a twinkle in their eyes, which plainly indicate that they find the Legislature in the proper state of mind and ready to undertake almost any job for a moderate consideration; for the present Legisla-Lure will not be an expensive one, and there seems little doubt that anything can be carried through both Houses at a rate that would have been spurned in the good old days of Jem Fisk and Boss Tweed.

BELAKER CONNELL'S POSITION.

Now it must not be imagined that I intend to assait the character of all the present reform Legislature. Not at all. Speaker Cornell is above suspicion. He would not even take a consulting fee from the Attorney General on a railroad bill or any pother measure. He has besides set his face firmly against the lobby, and intends to do all in his power to defeat any attempt to corrupt the one hundred and twenty-eight legislators over whom he presides. He has firmless to carry out his resolves, and character to render his opinions respected and his opposition feared. The party he represents cannot afford to have the stigma of corruption again fastened upon them after the experience of the past session and the recent exposures at Washington. They are bound to make a resolute and learnest fight against jobs of all kinds this year at least. But the difficulty is that out of the whole number of Assemblymen seventy or eighty have to be fed, and who is to feed them?

CASH PREFERRED TO COLLATERLE.

Promises of city patronage or federal patronage.

bumber of Assemblymen seventy of eighty have to be fed, and who is to feed them?

CASH PREFERRED TO COLLATERALS.

Promises of city patronage or federal patronage hereafter may satisfy some of them, but with the large majority present wants are more pressing, and they are after cash, not collaterals. The honest country reformer does not want office, but he dees want to pay his expenses and to litt the little mortgage on his farm when he goes home. The city members care nothing for piedges, but they do want a good full poeket for capital "extras," draw poker and a senson at Saratoga or "extras," draw poker and a senson at Saratoga or "extras," draw poker and a senson at Saratoga or dense to keep the Legislature honest are not prepared to buy these members out of the hands of the lobbyists they will assuredly fail in their purpose. purpose. THE CHARACTERS OF THE MEMBERS AND HOW THEY

PHE CHARACTERS OF THE MEMBERS AND HOW THEY

Just look at the kind of men with whom they
have to treat. The Senate is the same body which
last year whitewashed James Wood, and which did
not dare to expel Boss Tweed after his insolent
threat that he would prove that he bought nearly
lwo-thirds of them if they did. In the House there
are many of the old members, and their faces give
encouragement to the lobbylists. They are the
men who have been tried in the lobby balance and
not found wanting; or probably I might more preperly say found wanting all they can get. Speaker
Lornell and the Chairman of the Committee of
Ways and Means, with such members as Opdyke,
Pierson, Biglin, Blumenthal, Batcheller and a few
others will find it a hard matter to hold their associtates out of the hands of the lobby unless they tie
them up with greenoacks. The question is, where
is the money to come from? It is not as easy a
task to raise a fund to bribe members to be honest
as it is to make up a pool for the passage of a railroad bill or a valuable franchise, and hence I venture the prediction that, despite the efforts of
Speaker Cornell and the republican leaders, the
session will not close without the usual amount of
obberty, and the Legislature of 1873 will not be behind its predecessor in making all it can out of the
lobby.

Into the least uncertain or hesitatore are not in the least uncertain. The republican teast are not of the other than the last. The new charter will mo doubt be passed, and the muddled condition of the New York city government will be brought to an end. There is, of course, a rumor of dissension and opposition, but it is raised by those who desire to get up a quarrel among the republicans this year as last, or to create the impression that the Governor and the Legislature are not in harmony, in the hope to make something for themselves out of the operation. The republican leaders are not in the least uncertain or hesitating as to their policy. They declare that they have the responsibility for the good government of the State and of the city on their shoulders; that the trust has been confided to them by a large majority of the citizens of the State and by a decided plurality in the city, and that they are resolved that they will meet the responsibility and discharge the trust in their own way. They will take care that there shall be not in the metropois under their rule, and that the men to whom the offices are confided shall not only be homest, but shall be in full and faithmul accord with their own party, so that they will be bound by political expediency as well as by integ.

only be honest, but shall be in full and fathrul ac-cord with their own party, so that they will be bound by political expediency as well as by integ-rity of purpose to govern the city in a faithful and efficient manner. They have confidence in the good intentions of Mayor Havemever, but they do not averted, kill me."

not desire that the appointees to the important departments of the nunicipal government shall be taken from the ranks of their political opponents, or shall be such politicians as Charley Shaw and Marshal Croker. They believe that democrats and liberals would naturally enough work to rebuild their own party, and would use their official power and patrouage to that end. This they will not allow to be done with their consent, and no person can blame them for their determination. They denot consure Mayor Havemeyer, Comptrofer Green, Mr. Tilden and John Kelly for endeavoring to reorganize and reform the democratic party, suff they say the republicans ought not to be asked to place in the hands of these politicals the instruments with which to accomplish their work.

POLITICAL DISCOID IN THE CRY GOVERNMENT TO DESCOID IN THE CRY GOVERNMENT TO THE GOVERNMENT THE GOVERNMENT THE CRY GOVERNMENT TO THE GOVERNMENT THE GOVERNMENT THE

present in pessession, atthough some of them, such as Van Nort and Deiafield Smith, will no doubt be reappointed or re-elected to the positions they now fill.

No opposition to the charter and dissensions among the republicans is all moonshine. The talk about opposition to the charter and dissensions among the republicans is all moonshine. The party will be united on the bill, although on minor points there may be differences of opinion. The fact is the charter will be a party measure, and will go through as such. This is not saying that it will not be in the interest of reform and of honest government, but the humbug of electioneering cries will be abandoned. The republican legislators have made up their minds that there are men of honor, integrity and ability in their own ranks, and that honesty in office is not the sole, patented possession of a single individual. So the charter will go through as a republican charter, and a republican can charter it will remain until the turn of the political wneel brings democratic as it was republican before. One thing is certain—no republican will oppose the charter unless he has some personal end to subserve; and the opposition of the democratics, whether of the old Tweed Tammany or the new Green and Tilden Tammany, will not be of much account.

It will also be signed by Governor Dix if it receives the pretty solid vote of the majority. The Governor has already signified his recognition of the desire of the people for a decided policy in the large majority cast for the republicans, and he will not set up any personal views of his own against the will of the representatives of the people. He is a democrat of the old school, and not of the desires of the people for a decided policy in the large majority cast for the republicans, and he will not set up any personal views of his own against the will of the representatives of the people. He is no more in sympathy with the political ends. He is no more in sympathy with the political ends. He is no more in sympathy with the po

LITERARY CHIT-CHAT.

fresh and racy Western book. Says Mr. Ingalls:—Civilization is a veneer. The gentleman is a varnished savage. The institutions of society are stucco upon an edifice of barbarism. We all feel that it is humiliating and cowardly to call upon the law to avenge our wrongs, to waive our right to slay the seducer, to smite the insulter, to exact reparation from the thief. Hence spring the secret contempt for arbitration, the ferocious exultation of war. Geneva was well enough for America, because we wen the bloodless battle. We can appland William L. as the pettifogger praises the squire who gives him his cause, because he awarded us the boundary we covered; but, had the decision been adverse, there is not an American who would not have called for Grant, the soldier, and the solution of his sword. fresh and racy Western book. Says Mr. Ingails:-

as though they were natural enemies, notwithstanding he received from £400 to £700 a novel from them. He wrote to Colburn once that one of his chief pleasures in the anticipation of Paradise was that there would be no publishers there.

Frenchman who ever made a fortune by literature. His energy kept him going for more than forty years after he came to Paris, and paralysis overtook him only in his sixty-ninth year. His extravagance was even greater than his enterprise. On one occasion he gave a ball, at which every celebrated author, composer, artist, actor and actress in Paris was present, and 300 bottles of Bordeaux were put to warm by the fire, and 500

bottles of champagne to cool in ice. "NEBRASKA: ITS CHARACTERISTICS AND PROS-PECTS," is the title of a new pamphlet issued at Omaha, by Professor James D. Butler, giving the facts about the agricultural and other capabilities of this great State, which is claimed to be far superior to Minneseta as a field for immigrants.

THE SUCCESS of the Early English Text Society, founded in 1864, led to the formation of the "Spenser Society," organized in 1867, the "Chaucer Society," which began its publications in the year following, and the "Ballad Society," founded in 1868, at one guinea a year subscription, while the Chaucer and Spenser societies are two guineas each. Besides these there is "The Roxburghe Library, commenced in 1869 and devoted to the republica tion of the works of the early British poets and prose writers. It has already issued Thomas Carew's and George Gascoigne's writings, beside Wil-liam Browne's and three collections of the minor English dramas.

It is a pact, however unpoetical, that very few, if any, people read Milton's "Paradise Lost," for any other reason than that they feel ashamed to confess their ignorance and want of appreciation of the poem.

GUSTAVUS ADOLPHUS used to carry with him in all his travels his favorite author, Grotius-"De

CHARLES II. used to carry about a copy of "Hudibras" in his pocket, which he perused more devoutly than his royal ancestors did the Prayer WHEN CHATBAUBRIAND had to sell his country

house and his library the book he reserved out of all his literary treasures was a little edition of Homer, in Greek. WITH ALL HIS LITERARY PACILITY and fecundity,

Byron was a severe corrector of the press. "You will think there is no end to my villatnous emendations," he wrote to Lord Holland, Of one favorite that he rewrote it half a dozen times. Miss Mirrord, who drudged for the booksellers

in order to keep a good-for-nothing father, wrote bitterly in her latter days, "No woman's constitution can stand the wear and tear of all this anxiety. It killed poor Mrs. Hemans, and will, if

HORSE NOTES.

cellent, and the road was crowded every after-noon. New York never had such a sleighing carnival before. We make this statement without fear of contradiction, for not since 1836 have there been such snowfalls and such a long term of continuous sleighing, and at the time above named not one-twentieth of the number of fine horses were owned by New Yorkers as at present. Horses are now seen on the road every day which cost their owners \$30,000 and \$40,000, and the amount of

robes, harness, &c., is enormous.

In 1856 we did not have a Startle, a Pocahontas, a Jim Irving, a Gazelle or an American Girl, and the sleighs were not of such elegant appearance. Unless a man can parade a 2:30 clipper he is not allowed to boast about beating anybody, for it takes a genuine trotter to make any "show" nowadays on the road. If it could be accomplished it would be a great boon to the drivers of fast horses for all of them to speed one way, say down the road, for when it is "high change" on the Lane it has got to be a mixed affair, and as soon as your trotter has reached his stride and you are feeling his dainty mouth as a pianist fingers the keys of his instrument you have to pull up to avoid collision. If all would speed one way it would give a much better opportunity to go fast and make it far safer for all concerned. There seems to be quite a number of "English" drivers on the road at present, those who pull to the left country before they risk their own and other peoples' necks by last driving. As in everything else, one finds in driving many who are sadly in want of courtesy and politeness, and who take all possible advantages, particularly if they have a stronger or less valuable turnout. These personages ought to be taught a lesson, and one which will only affect themselves, as they often occasion serious accidents to others.

Many of the trotters have "got enough of it," and guite a number have cracked heels, contracted

stronger or less valuable turnout. These personages ought to be taught a lesson, and one which will only affect themselves, as they often occasion serious accidents to others.

Many of the trotters have "got enough of it," and quite a number have cracked heels, contracted from contact with the mixed salt and show which lies on and around the city railroad tracks: but their owners grudge them the necessary "let up" in many cases, and not till the seighing is entirely gone will many or them get a chance to recover.

Among them, conspicuous on the road during the last few days for great speed, was the Barkley mare, which can trot very last, and has a will of her own, sometimes laduiging in a run at a terrific gait, and, if her owner did hot handle her well, she would smash things generally. Fred Haight drove my, cometimes laduiging in a run at a terrific gait, and, if her owner did hot handle her well, she would smash things generally. Fred Haight drove my, cometimes laduiging in a run at a terrific gait, and, if her owner did hot handle her well, she would smash things generally. Fred Haight drove my, cometimes the more did not handle her well, she would smash things cenerally. Fred Haight drove my, cometimes and had had her well as the strong and the she would smash things cenerally. Fred Haight drove my fast and stylish, lack Alcott had the trotting horse Contraband out Salurday afternoon, and he showed to advantage. Frank P. Robbuss showed great style and speed with his mare by Superb, which he has named Louise. Dr. Albert Lee's team of neestbut mares, of Messenger and Patchen strains of blood, have been trotting fast the length of the road, and they are a very steady and rehable team. Mr. C. F. Wood's stallion by Vanguard has been stepping well. Dun Waiton's team, Fred Tyler and Peubscot Chief, have been going fast. Mr. James Gaiway's beautiful bay mare Endyantes has attacted great attention by her speed and beauty. George G. Hopkins, of Ravenswood, has had the Kentucky mare Enigma out a number of times, and

The Annual Convention of the National Trotting Association.

The annual Convention of the National Associa tion for the promotion of the interests of the American trotting turf meet at Philadelphia to-American trotting turf meet at Philadelphia today, when it is anticipated delegates from all the
trotting associations in the United States will be in
attendance. No doubt many of these delegates
will bring with them numerous additions to the
present rules, of which there are already much too
many—more than have ever been enforced. We,
advise that new ones be considered with great
caution. The trouble at all the rotting meetings
in the past has been occasioned by the appointment of partial or ignorant judges; and rules go for
naught when such men are in the stand. The
great work, however, for the Convention will be to
give confidence to the public that trotting will be
conducted honorably in the future, or our beautiful tracks and fine lub houses will have to be devoted to other purposes than those for which they
were originally intended.

THE WINSTON-ENGLISH LIBEL SUIT.

Pertinent Questions by a Policy-Holder of the Mutual Life Insurance Company. TO THE EDITOR OF THE HERALD :-

What is the meaning of the extraordinary libel suit brought by Frederick S. Winston, President, against Stephen English, editor of the Insurance imes? Is the plaintiff in this suit, Mr. Winston, as President or as an individual? In other words, are the legal expenses to be paid by the company out of money belonging to us as policy-holders er are they to be paid by Mr. Winston personally? If the latter it is his own affair; but if the former, I, as one of the policy-holders' in that company, decidedly object to such a maiappropria-tion of our funds and shall feel disposed to call the Trustees to account, if authorized call the Trustees to account, if authorized by them, for every dollar so misspent. With Mr. English I have no acquaintance, never having seen him, to my knowledge, nor have I ever read or even seen his paper. I have, however, both seen and read the letters published in the New York Herald, over the signature of James W. McCulloh, oo Beaver street, a policy-holder, in which charges are made against Mr. President Winston, and some of the trustees of the company. Names, dates and figures are given in minute detail and legal proof is offered, taken under oath from the official records of the company. I have not learned that any notice of these charges—so specific and so direct—has been taken by the officers or trustees, is it because the charges brought by Mr. McCulloh are really unanswerable, and that some of our wealthiest and most prominent citizens have volunteered to give ball for Mr. McCulloh if arrested for libeir Surely this must tend to impair, if not utterly to destroy, confidence in the management of this company, where, by every means, confidence should be strengthened. It is charged that false statements have been made by order of the President in order to conceal improper and illegal transactions; that clerks and officers have been directed or influenced to perform or to approve irregular transactions; that clerks and officers have been made and concealed from the trustees, and afterwards condoned, and even approved by the committees or officials appointed to examine the same. Can such things be?

What is the meaning of all this? Are these genetiemen the masters and owners of the company, or are they simply the well paid servants employed to by them, for every dollar so misspent.

What is the meaning of all this? Are these gentlemen the masters and owners of the company, or are they simply the well paid servants employed to take care of our interests? Have poincy-holders no rights which the President of this company is bound to respect? Are not the officers and trustees of this company the custodians of a trust, and are they not obliged to give an account of their stewardship? The recent attempt to reduce the rates of premiums for new insurances, thereby lessening, if not endangering, the security of present policy-holders, and the precipitate, not to say ignominous, retreat from the position so unwisely taken, show ignorance and incompetency of management. Are the vast interests of the Mutual Life Company, in which so many hopes are centred for the inture well being of our limitles, saie in such hands? This is a serious question for each policy-heider to consider and decide.

William K. McCLEES.

THE DURYEA HOMICIDE.

CLOSE OF THE CORONER'S INQUEST. Extraordinary Verdict of the Jury.

Bail Applied For on Behalf of the Prisoner.

The Duryea inquest was resumed yesterday after-noon before Coroner Keenan, at Bellevue Hospital. The attendance was quite as large as on the pre-vious day and was composed of persons of the same class. The widow of Duryea was, for the first time since the commencement of the investigation, absent, but her place was well supplied by the Attorney Lyons appeared for the people and Colonel Fellows for the prisoner. Below will be found the evidence and the verdict of the jury:—

THE EVIDENCE.

Euzene Sherman was the first witness examined. He testified as follows:—I reside at 50 Coles street, Jersey City; I work in a broker's office, 89 Gold street, New York; about ten minutes to seven on Monday night, December 16, I left my place to go to the Post Office; going from the Post Office, on my way home, about three minutes to seven, I walked up Liberty street, on the south side; I noticed about five persons standing at Sutherland's restaurant looking at two men who were standing in front of the Friamph Insurance Company of Ciccinnati; one of them was a stout, well-built, old-looking man; the other was a tall, sender-built man, kind of young; I heard the stout man say, "I will swear against him;" the other man said, "Don't you pull anything on me;" with that the tall man struck the stout man, and they both fell together on the sidewalk; the tall man was on top when they fell; but the short man got the best of him in a few seconds, and he then got on top; the older man turned over and got on top of him; I could see him ma e a motion as if poking the man in under in the body; as soon as I saw that I ran as far as Broadway to see if I could to find any; I returned; I saw the old man kind of rise up on his feet; he staggered a lew steps and fell on the street; I then saw a person help him into Sutherland's restaurant; I got up on an iron railing and looked into the restaurant, and saw the old man sitting on a high stool near the door; he was in there about three minutes, when some policemen came; one policeman stood near by the body on the sidewalk, sounding his lub; the prisoner is the stout man; when I saw the two men first they were standing close to each other; I did not see any instrument in any one's hands that afternoon; I cannot tell exactly where the prisoner is the other man; I did not see the deceased take the prisoner by the throat; the deceased was the younger man.

Edward Webber sworn—I am an officer of the Second precinct; on the evening of the 16th of December Officer Maher and THE EVIDENCE.
Eugene Sherman was the first witness examined

position; I asked who had done this; some one said they had taken the man over to Sutherland's; there

"WAS A POOL OF BLOOD
Surrounding thes body; I crossed the street; as I entered the house of Sutherland I saw the prisoner to my left, sitting on a stool; his face was bloody—so were his hands and garments; I walked over to him and said, "Are you the man who was fighting outside?" he made me no answer; I gave the prisoner in charge of Officer Maher and went over to the body again; when I went back some one in the crowd extended to me a dagger sheath; I sent for a stretcher to take the body to the station house; I was then told the prisoner had broken his leg and wanted a carriage to take him to the hospital; the prisoner was taken to the station house in a vehicle used for carting fruit; when we got in the station house I searched the prisoner, and among other articles which I took from his clothes was the silver top of a dagger shield; I then took a lantern and went back to the scene of the affray, and found in the basement of Sutherland's a knife, with a bowie blade and a horn handle (the knife was identified); I gave the knife with the other things to the captain; I did not hear the prisoner say anything about the stabbing.

Matthew Maher, another officer of the Second precinct, who had charge of the prisoner on his way to the station house, asked the latter how the fight commenced; he said "This man struck me in the face, and wantecto rob me;" I asked, "Did you know the man that struck you?" he answered, "No;" he then requested me not to ask him any more questions, as he was too weak and nervous to answer.

John Kearns, No, 17 City Hall place, a partner at

more questions, as he was too weak and nervous to answer.

John Kearns, No. 17 City Hall place, a partner at 64 Liberty street, deposed to being in the pantry of Sutherland's on the night of the row; saw a crewd of men come in with the prisoner; two officers came in and took him away; saw no more until Officer Webber came back with a lantern; he came into Sutherland's and went into the sub-cellar; I went with him, and

PICKED UP THE KNIPE
(knife identified) and gave it to the officer.

Peter Duryea examined—I reside at Port Richmond, Staten Island; the deceased was my uncle; about six or seven weeks before this affair happened I was standing in front of er Liberty street, when Mr. Simmons came up to me and said, "This is pretty rough, me losing all my

Reter Duryea examined—I reside at Port Richmond, Staten Island; the deceased was my uncle; about six or seven weeks before this affair happened I was standing in front of 67 Liberty street, when Mr. Simmons came up to me and said, "This is pretty rough, me losing all my business; and Nic is taking it all away from me;" I told him it was not so, ne was not at that time connected with the business in any way; Simmons said, "He may tell you that, but I know he is;" he asked me to go over to Sutherland's and have a drink with him; I went; while we stood by the bar he said, "I'll fix that son of a b—h for beating me out of my business;" I told him not to talk that way; I knew he would not do anything of the kind; he said, "I'l I don't do it I have got the gang that will do it;" we went out of the building, and that was all that passed between us. I went down to the Island that night and told my nucle about it, and that he ought to be prepared; he said, "Oh, I don't think he means anything; he is not a man of that kind;" my uncle never carried any weapon; his pistol was always in the house; I urged him to carry a weapon of some kind.

F. Le Roy Satterlee sworn—I am police surgeon of the Second district; I attended the prisoner on the night of December 16, and found that the ankle was dislocated and that one of the bones was fractured; there was a slight discoloration on the inside of the ankle, but the skin was whole; I asked the prisoner how he broke it and he said he thought it was from a club; there was

I told the captain the man must go to the hospital; he was taken away in an ambulance to the Park Hospital; there were no bruises or marks of any kind upon the prisoner; I also examined the deceased and found several stabs about the neck and one in the left groin; the body, about the head and the upper half, was covered with blood.

Robert W. Clarke sworn—I eside at 21 Macdougal street, in this city; I am a clerk for Mr. Adams, who on the night of the occurrence had his rooms at 67 Liberty street, on the same foor

back to the door of Mr. Adams' office; Simmons and Duryea had some altercation; I did not hear what it was about except that I heard Simmons say, "WHAT HAVE YOU GOT IN YOUR POCKET?"
Duryea then pulled his hands out and put them into his overcoat pocket, saying "It is nothing, only a handkerchief;" they kept on talking and I heard Mr. Simmons say again, "What are you doing with your hands in your pockets." I then went back into my office; soon after I saw Duryea go towards the stairs; I heard him call back to Simmons, "John, won't you come down and have a drink," and Mr. Simmons said, "No, sir; I don't drink with you; I am going home;" Mr. Duryea then went down stairs; in a few seconds Simmons went past the office door, and I heard him go down stairs; I turned out the gas and shut my office door, and went out into the ballway, and heard voices talking very loud on the street; I went back to the back office and told Daison and Stryker they had better go down; there were some friends with Duryea, and they would get the best of John; I then went to the front of the building and looked out; saw the two men facing each other and talking very loudly; I heard Duryea say, "You are a God d—d liar;" I went down stairs with Stryker; when I got into the street they were facing each other; Duryea seemed to be making a motion to catch Simmons; I heard Duryea say, "You are a God d—d liar;" I went down stairs with Stryker; when I got into the street they were facing each other; Duryea seemed to be making a motion to catch Simmons; I heard Duryea say, "I lent you \$3,000, didn't 1?" Simmons replied, "Yes,

I thought Duryea was about to draw a pistol; I went across the street; I saw Simmons put his hand in his pocket; before I saw wimmons put his hand in his pocket; before I saw Simmons put his hand in his pocket; before I saw simmons put his hand in his pocket; before I saw simmons put his hand in his pocket; before I saw simmons put his hand in his pocket; before I saw Simmons put his hand in his pocket; before I saw of the deta

Street Hospital, stated the condition of the prisoner when taken to the hospital on the night of the occurence; he was suffering from a broken ankie and a slight bruise on each side of his neck.

Alexander Graham, residing at 301½ Bowery, a butcher by occupation, deposed that on last Thanksgiving Day he was in Brooklyn; returning he met Mr. Duryea on board the ferryboat; he told me how Simmens had beaten him, and he said, "I wil be obliged to kill that big son of a b—h, and I brought it here to do it;" left him and went to Broadway, and met Mr. Simmons; it was about an hour afterwards; I told him he had better look out, for Nie was after him, and would "blow the stuffing out of him;" he said he had heard of that before.

Dr. Wooster Beach, Deputy Coroner, gave the result of the post-mortem; death resulted from a wound in the neck.

This concluded the evidence, and the jury returned to consider their verdict without any charge from the Coroner. The jury remained out about an hour and returned with the following verdict:—

THE VERDICT.

about an hour and retarned with the following verdict:

THE VERDICT.

'The jury find that the deceased, Nicholas W. Duryea, came to his death on the evening of December 16, 1873, from stab wounds received in a quarrel with the prisoner, John E. Simmons, and the jury believe from the evidence elicited that it was not premeditated, and that the prisoner, from previous threats made by the deceased, may have considered his life threatened."

The Coroner then asked the prisoner his name, age and residence. His age is forty-six years and his residence 114 East Fourteenth street.

Colonel Fellows, in answering for the prisoner, said he acted strictly in self-defence, under the apprehension that his life was in imminent danger.

Colonel Fellows then asked that the Coroner should extend ball to the prisoner in a reasonable amount, as the verdict had placed the crime far below the grade of murder.

Assistant District Attorney Lyons asked for an adjournment before ball was granted, which was granted by the Coroner. The matter will be settled this morning at bleven o'clock in the Coroner's office.

ART MATTERS.

Academy of Design-Sixth Winter Exhi-The doors of the National Academy of Design

will be thrown open to-morrow evening, a preliminary private view, however, being vouchsaled tonight at eight. The occasion will mark the sixth Winter exhibition of the Academy, and include the Painters in Water Colors and a collection of English water colors and sketches. It would, doubtless have been preferable to the American Society to present its pictures in a manner that would more strikingly have brought its title and its claims to the regard of the public. We have no doubt that the managers of the Academy of Design had good reasons for acquiescing in the representations that led them to accord the South Room to a separate collection of English pictures. We understand that Mr. Blackburn has taken the trouble to gather together these, and that their display at the Academy simultaneously with that of American Society's collection is merely the realization to him of his original idea of an "International Exhibition." In what sense a few English water colors, hung in an American gallery, can be appropriately termed an "international" affair we should leave our readers to determine, were it not for an explanation ingenuously accorded to us by Mr. Blackburn himself-To follow this gentleman's argument his present display of English water colors is merely the beginning of a line of policy which, he expects, will result in a warm reciprocity on the part of English societies toward American artists. That is to say, it Mr. Blackburn's present display of English water colors is favorably contemplated here, English art societies will be as ready to accommodate pictures colors is favorably contemplated here, English art societies will be as ready to accommodate pictures by American artists as the Academy of Design has been to oblige the British painters whom Mr. Blackburn is understood to represent. If such considerations constitute the Blackburn assemblage of pictures an "international" one, that adjective has acquired a significance new to us. And in this connection we cannot forbear noticing the equivocality of Mr. Blackburn's statements, when, in a note published in one of Monday's papers, he declares that "it seems rather a matter for regret that the American Society of Painters in Water Colors should have taken so much pains to enrich their collection with English works this year, which may be found to occupy places 'on the line' in their galleries, to the injury, as far as position is concerned, of the works of American artists. 'An erroneous impression is conveyed by this sentence. The proportion of English works which the American Society has placed "on the line" is so small as to be scarcely worth taking into account. This explanation seems due to the American Society. For Mr. Blackburn's avowed motives in coming to this country we have nothing but esteem, and such observation as we have been able to make of his English pictures gives us a favorable opinion rather than otherwise of the judgment that selected them. But we protest against their forming an international exhibition in any of the usual and legitimate senses of that word, and we are willing to believe that Mr. Blackburn's unprecisions in statement are the inadvertencies of a man who, having much work to do, almost necessarily transacts some of it with precipitation.

Reception to General di Cesnola.

Reception to General di Cesnola.

On Monday evening a reception was given to General L. P. di Cesnola, the United States Consul antiquities which lately arrived at this port. The reception was tendered by Mr. John Taylor Johnston, President of the Metropolitan Museum of Art and was held at the house of that gentleman No. 8 Fifth avenue. More than three hundred intrustees of the Art Museum, many of our most dis-tinguished citizens were present. Chief among the memorable teatures of the evening was a brief and graceful address by General di Cesnola, rendered all the more pleasant by the fact that the perfect English in which it was expressed is not General

graceful address by General di Cesnola, rendered all the more pleasant by the fact that the perfect English in which it was expressed is not General di Cesnola's native tongue. Among the guests present were Governor E. D. Morgan. General McCleilan, Chancellor Crosby, and W. C. Prime, famous for archicological lore. After each guest had been presented the entire company proceeded to Mr. Johnston's picture gallery, where the host made a neat and relevant speech. General di Cesnola made the appender reply:—

Mr. Johnston's picture gallery, where the host made a neat and relevant speech. General di Cesnola made the appender reply:—

Mr. Johnston's picture gallery, where the host made a neat and relevant speech. General di Cesnola had been decented to the land of art, it is with a peculiar satisfaction that I find myself to-night the occasion of this elegant gathering—not as an acknowledgment of any humble efforts of mine in the path of science, but as an evidence that the country of my adoption has awoke to the one thing needful to place her at the head of nations—namely, a fervent interest in art. Already brilliant names shine in statusry and painting; and this very hall, which reminds me of the superb galleries of the Princes Doria and Borghese, is a proof that some munificent patrons of art already exist in America. But this is not enough. This is but individual effort. It is this spontaneous movement in the right direction which gives promise for the future of American art. I am, therefore, very happy to see connected with our new Museum of Art the names of the most distinguished citizens of this great metropolis. I say I am happy, because in such persons as I see around me there is a sure guarantee that they fully understand seed and the comming generations. To rely hereafter upon purchasing original works of art of the seed force k spech would be aimost a folly. Most of you, gentlemen, know as well as I do that whenever an object of art of that period is found in Europe every museum is anxious to possess it,

Palette Art Association. The second annual exhibition of this association

will open in the Somervine Art Gallery on the evening of March 5, and will continue two weeks.
Original works will be received from February 28
to March 3, inclusive, and it will be necessary for
the usual lists to be filled and forwarded to Mr. W.
Holberton, the Corresponding Secretary, 212 Fifth
avenue, by the 28th of the present month. The
loan of important American and foreign pictures
is requested.

The reception which this lady proposed to give last Monday evening was deferred on account of her illness, but will probably occur within a week. Meanwhile the art collection is open to visitors from two to five and from seven to nine P. M., at 50 Union place.

The Caldwell investigation was resumed by the Senate Committee on Privileges and Elections to amined by Judge Crosier.

day. Judge Theodore C. Sears was sworn and examined by Judge Crosier.

TESTIMONY OF JUDGE SEARS.

Was a member of the Kanasa Senate in 1871 and 1872; has read Mr. Spriggs' testimony before this committee, never exchanged a word with Lem Smith except an exchange of greetings during the Senatorial canvass; was never approached, directly or indirectly, with relation to his vote, nor was any communication made to him upon the subject, directly or indirectly, with relation to his vote, nor was any communication made to him upon the subject, directly or indirectly.

ISAAC D. CLAPP EXAMINED.

ISAAC D. CLAPP EXAMINED

Clusive.

By Mr. Morton—Recollect precise dates by reference to account books.

MR. SHERWOOD'S TESTIMONY.

Mr. Sherwood iestified that he recollected the conversation between Carney and Clark in Jake Steinburg's saloon in Leavenworth; Carney said Caldwell would be ousted from the Senate; that we would oust him; he seemed sincere, not vehemently demonstrative; said that six years before he had given left. The shift twenty-five thousand dollars in years before he had given left. Mith twenty-five thousand dollars for him, and he (Smith) sold him out and kept the money.

Dr. A. C. van Duyn, of Leavenworth, testified that he recollected the occasion to which the last witness referred; was passing the saloon at the time and stopped; Carney went to witness' office; Carney said Caldwell was bound to be removed and ought to be removed.

Judge Crosier submitted

An Affination of C. B. BUTLER, a member of the Kansas Legislature, stating that he had no conversation with Carney, Smith or Caldwell in relation to the payment of a note on condition that he would vote for Caidwell; he did not receive any consideration whatever for said vote.

There being no other witnesses present, Mr. Morton suggested that Mr. Caldwell should proceed with his statement.

Messra Crosier and Caldwell objected to proceeding

JUDGE CROSIER EXAMINED.

Judge Crosier examined by Mr. Morton—About four J. M. on Wednesday after the election, Lem Smith came him and asked if he could get \$1,200, saying he wanted pay bills; got the money on Thursday; after he returned to Leavenworth from Topeka Smith repaid the money.

By Mr. Clark—The check did not appear on the book of the bank, because there was no seed of it.

GALDWELL'S STATEMENT.

Mr. Crosier read Cald well's statement substantially a follows:—

In 1861 be 1871 Payment of the county of the statement substantially a contract of the statement substantial substantial statement sub

of the Dairs, Decause there was no seed on its follows:—

Mr. Crosicr read Caldwell's Statement substantially as follows:—

In 1861 he left Pennsylvania, went to Leavenworth and engaged in transporting supplies for the army until \$886, when he went into railroad construction and improvement of real estate: was repeatedly solicited by prominent citizens to become a candidate for officer but declined. Finally, in 1870, he was induced to enter the contest for the senate, as described. He pennet of the senate, as described. He pennet supplies that the election cost \$60,000 or \$70,000, or other large sum, or that he or General Smith in his presence declared he would have the scal it is cost \$25,000, or other large sum, or that he or General Smith in his presence declared he would have the scal it is cost \$25,000, all the statements that he had promised or given any consideration for votes are false; the parties named are personal enemies; Mr. Carney endeavored to induce Mr. Caldwell twithdraw from the canwas, and said he would withdraw if Mr. Cardwell would pay \$15,000 or would give Mr. Caldwell twice or thrire that sum if he would withdraw in Mr. Caidwell would pay \$15,000 or would give Mr. Caldwell twice or thrire that sum if he would withdraw; both propositions Mr. Caidwell declined, but at a subsequent meeting accepted the first and

PAID THE MONEY TO CARNEY HIMSELF:

although his friends offered to raise it; he did not agree to pay the expenses of Stevens or Clarke or their friends on condition of receiving their support; on the way home from Topeka after the election Mr. Clarke came to him and said masmuch as he Clarke; was poor, Caidwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he defeated, Chilwell successful, and that as Caldwell rich; he def

to refuse, that he would make trouble; Clarke then went to Kanasa and set an investigation on foot; Caldwell never stated that the Kanasa Pacific Railroad agreed to share with him the expenses of election, and had subsequently refused to do so, or that the said road should get nothing through Congress unless the agreement was infilled; on the contrary, he was on the most friendly terms with the officers of the road, and ONK OF HIS FIRST ACTS IN THE SENATE WAS the introduction of a bill drawn by them for the benefit of the road. Caldwell then took up and denied the allegations of corruption made against him during the investigation, and said, in conclusion, "I will say that I have endeavored to answer every accusation in the evidence offered tending in any way to connect me with any improper practices, or the use of corrupt means to secure my election, and now say generatened on the evidence offered tending in any way to connect me with any improper practices, or the use of corrupt means to secure my election, and now say generatened on the evidence offered tending in any way to connect me with any improper practices, or the use of corrupt means to secure my election, and now say generatened on the evidence offered tending in any year and the contract of the United States Senate; I never promised or paid or authorized any one to promise to pay money or other reward for the purpose or with the design of corruptly influencing any vote in my favor; I do not hesitate to admit that I paper mit out on the bild certainty did not deem that I was guilty of corrupt or immoral acts; what indiscreet friends may have done or said during the canvass I know not, and surely should not be held responsible therefor. This statement was not sworn to.

Mr. Morton announced that if the expected witnesses and bank books arrived they would be examined, and that Mr. Caidwell would then have an opportunity to reply to any disclosures made.

The investigation then adjourned. THE NAVAJO INDIANS.

TO THE EDITOR OF THE HERALD :-

Permit me to correct a statement made in a let ter dated Fort Defiance, New Mexico, Decen 20, 1872, published in your Saturday edition in regard to the conduct of one of the campaigns or wars against the Navajo Indians under General Canby, United States Army, in the Winter of 1860 and 1861. I quote:—"In some cases poisoned sugar and bacon were left in camps as if forgotten or dropped on the road for the starving Indians. So that, to this day, some of the Navajoes have such a horror of bacon that they cannot be induced to touch it." This is untrue, and if allowed to pass without contradiction might lead many to third it true. I served with the troops in the field all Winter, from the commencement of hostilities in

it true. I served with the troops in the field all the rail to their end in the Spring, when a peace was concluded, and know positively that such an unmilitary, flendish and savage mode of warfare was not used, suggested or even thought of by General Canby, the officers or men engaged under him.

The war was carried on in as humane, just and civilized a manner as war could be. Many women and children were captured, but while in captivity were fed, sheltered and returned to the tribe when peace was made. Of course herds, orchards and crops were destroyed, as a military necessity. From nearly a two years' service at Fort Defiance and adjoining country I am inclined to think that if these Indians have a horror (7) of bacon or anything else in the way of food it has come to them very lately, and that if it ever did or does exist it areas from their having picked up and eaten some musty or decayed bacon, condemned and thrown away as unfit for issue to the troops (a not unfrequent occurrence in that distant country)—in all probability this made them sick. These Indians are the best and most thorough of scavengers, always hanging around the butchers' stalls and struggling fiercely over the division of the refuse after cattled.

By giving this an insertion you will do justice to the memory of many of those officers and men who

are killed.

By giving this an insertion you will do justice to the memory of many of those efficers and men who have since offered up their lives on many a fleroe and bloody field of battle, and also in defence of those left in the army, who are now serving on the frontier, but are too far off to defend themselves from such slanders. Yours, I. C. McKEE,
Surgeon United States Army.

FORT WADSWORTH, Staten Island, New York Harbor, February 2, 1873.

INSPECTION OF BUILDINGS.

Superintendent Macgregor, of the Building Department, continues to make reports of his visita-tions to the schools and buildings of the city. The hast he has reported on have been Grammar School No. 4 and Grammar School No. 34. The fault to be found in them is particularly in the means of egress and the employment of wood where from might be used. The residences visited include both stores and private dwellings, and generally are found to need fire-escapes.